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THE *eff*
Historical and Scientific Society
OF MANITOBA.

**TWO PROVISIONAL GOVERNMENTS
IN MANITOBA.**

CONTAINING AN INTERESTING DISCUSSION OF
THE RIEL REBELLION,

WITH AN APPENDIX EMBODYING THE FOUR
BILLS OF RIGHTS VERBATIM

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A LIFE MEMBER OF THE SOCIETY

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Two Provisional Governments in Manitoba.

The Historical and Scientific Society of Manitoba met in the City Hall, Winnipeg, on Thursday evening, January 9th, at 8 o'clock. The President, Mr. C. N. Bell, took the chair. Among those present were Rev. Dr. Bryce, lecturer of the evening, Rev. Prof. Hart, Rev. A. B. Baird, Rev. Father Cloutier, J. H. Ashdown, Esq., Prof. Laird, W. G. Fonseca, John Macbeth, ex-M.P.P.

Dr. Bryce read the following paper:

Manitoba affords a rich field for the historical student. No part of Canada has been acquainted with so turbulent a state of affairs, or has so often witnessed the appeal to arms between contending factions as the Red River Valley. Indeed it may be said the early conflict of authority between the opposing fur companies left a heritage of burning questions that are only now being definitely settled. This disturbed tendency of affairs in the Northwest is due to a number of causes:

1. The elements of the country have not been homogeneous. The division of line of nationality and religion has not been allowed to die out, but has been drawn with determined perseverance.

2. The Government by the Hudson's Bay Company for forty or fifty years, being that of a trading company whose interests at times conflicted with those of the settlers, was not in the nature of the case likely to be satisfactory.

3. An uncertainty as to the legality of the company's rule, not only induced popular restlessness but prevented decision on the part of the authorities, and thus made an inevitably weak regime.

The unfortunate conflicts of 1813-17 resulted in loss of life and property; the mutinous state of the people under the control of Lord Selkirk's executors up to 1824, and under the confused rule up to 1835 led to constant alarm; the open rebellion of the French half-breeds in the celebrated Sayer case in 1849 brought contempt on the administration of justice in the Red River; the Riel rebellion of 1869-70 resulted in bloodshed and the fiercest hatreds; and the Saskatchewan outbreak of 1885 was simply the transfer of the spirit of lawlessness from the banks of the Red River to those of the great river of the west. Were it not for the bloodshed and heart-burnings following in the train of these events one would be disposed to look upon the humorous side of these outbreaks.

Think of Capt. Cameron, in 1814, who was no captain at all, swaggering in his red uniform and dangerous looking sword as the arbiter of destiny in old Fort Gibraltar. See old Fort Douglas, taken possession of by the victorious Metis in 1816, after the murder of Governor Semple, and devoted to scenes of wildest revelry and savage mirth. Read Ross's account of De Meurons, and disgusted Swiss, and angry settlers of Red River, as they nicknamed Governor Alexander Macdonnell, the "grasshopper governor," "because he proved as great a destroyer within doors as the grasshoppers in the fields, and prided himself in affecting the style of an Indian victory." Imagine three or four hundred French half-breeds armed to the teeth, surrounding the court house at Old Fort Garry, to fortify Judge Thom and the officers of the law in administering justice, and careering over the plain with shouts of "Le commerce est libre! Vive la liberte!" or listen to the insufferable bombast of "President" Riel, as he says, five days after the execution of Scott, in his proclamation:

"To the people of the Northwest:

"Elevated by the Grace of Providence and the suffrages of my fellow-citizens to the highest position in the government of my country, I proclaim that peace reigns in our midst this day. The government will take every precaution to prevent this peace from being disturbed."

Truly comedy and tragedy have often been near together in the Red River of the past. This evening my purpose is to bring before you two of these comic-tragedies known as "Provisional Governments" in Manitoba. My purpose in doing so is partly historical, and partly to deal with certain claims for the latter of these governments, which I regard as perfectly untenable. Before doing this it will be necessary to give a short sketch of the

COUNCIL OF ASSINIBOIA.

After the resumption of the territory of Assiniboia from Lord Selkirk's heirs, the Hudson's Bay Company sent out a local governor to Fort Garry, and with him appointed in an informal way several advisers from the officers of the company at Red River. For a time the settlers were mystified as to who were their real rulers, but in 1835 something more definite was required to satisfy the people. In this year a council of fifteen members

was appointed, but, as has been said they were, "generally speaking, either sinecurists or paid servants of the company," and though they were usually good men, yet rightly or wrongly public discontent continued.

THE FIRST COUNCIL.

of Assiniboia was :—

Sir George Simpson, president.
 Alex. Christie, governor of Assiniboia.
 The Roman Catholic Bishop.
 Rev. D. T. Jones, Church of England chaplain.
 Rev. Wm. Cochran.
 James Bird,
 James Sutherland.
 W. H. Cook.
 John Pritchard.
 Robert Logan.
 Alex. Ross.
 John McCullum.
 Dr. Bunn.
 A. McDermot.
 Cuthbert Grant, Warden of the plains.

This council was appointed under the charter of the Hudson's Bay Company, which provided for the company appointing governors and other officers to preside within their territories and judge in all causes, civil and criminal, according to the laws of England. From time to time new appointments were made in the council, and this patriarchal government continued on the Red River up to the stirring events of 1869-70. The territory placed under this rule was generally understood to be included in a

CIRCUIT OF FIFTY MILES

by the compass from the forks of Red and Assiniboine rivers. More strictly, the settlement, which was two miles in breadth on each side of the river, was surveyed according to Col. Dennis' map north on the Red River to Sugar Point, south on the Red River to the entrance of the Rat River into the Red River, and west up the Assiniboine nearly to Lane's Post, beyond the White Horse plains. The functions of this council were always carefully exercised under the constant impression that their powers were very limited. The real authority under the charter was always retained by the London board, so that the functions of the old Council of Assiniboia may best be defined as municipal. The rules and regulations passed by the council in its 30 or 40 year's existence were very few, and may be seen as embodied in the beginning of the Consolidated Statutes of Manitoba. Outside of this circle of fifty miles known as Assiniboia no government seemed to prevail.

The district of Portage la Prairie attracted some of the natives of Red River to itself, but as this was outside the limits of Assiniboia it was against the wishes of the local authorities that this settlement was made. In consequence the people of Portage la Prairie had thus a slight suspicion of being outlaws about them, and naturally craved for some sort of local organization. It was reserved for Mr. Thomas Spence, still known in Manitoba, to be the leader of the majority of the people of Portage la Prairie in this matter and to form the

REPUBLIC OF MANITOBA.

In a letter dated Feb. 19th, 1868, Mr. Spence informs the British secretary of state, as follows :

"My Lord :

"As President-elect, by the people of the newly organized government (and council of Manitoba, in British territory, I have the dutiful honor of laying before your Lordship for the consideration of Her Most Gracious Majesty, our beloved Queen, the circumstances attending the creation of this self-supporting petty government in this isolated portion of Her Majesty's dominions, etc., etc."

It will readily be seen that Mr. Spence and his four hundred settlers were quite ready to face the responsibilities of self-government. They defined the limits of their new jurisdiction to be from about High Bluff as far west as our present Brandon, south to the U.S. boundary and north to 51°N.—a no small kingdom, certainly, for 400 people. An oath of allegiance to the new order of things was required from the inhabitants of Portage la Prairie. An attempt to administer discipline to an offending settler, who had started the rumor that the new rulers had used a part of the taxes collected in purchasing liquor for their own consumption, led to a rescue by the friends of the accused, which made the government a laughing-stock. This organization of the "First Provisional Government in Manitoba" would be almost too trivial for sober history were it not for the letter it drew out to

MR. PRESIDENT SPENCE

from the British Secretary of Foreign Affairs, a portion of which I quote :

"May 30th, 1868.

"In these communications you explain the measures that have been taken for creating a self-supporting government in Manitoba within the territory of the Hudson's Bay Company.

"The people of Manitoba are probably not aware that the creation of a separate government in the manner set forth in these papers has no force in law, and that they have no authority to create or organize a government, or even to set up municipal institutions (properly so-called) for themselves, without reference to the Hudson's Bay Company or the Crown.

"Her Majesty's Government are advised that there is no objection to the people of Manitoba voluntarily submitting themselves to rules and regulations which they may agree to observe for the greater protection and improvement of the territory in which they live, but which will have no force as regards others than those who may have so submitted themselves."

Thus passed the glory of the first Provisional Government of Manitoba.

THE RIEL REBELLION.

My purpose this evening does not lead me to discuss the causes of that untoward event. Suffice it to say that the hasty action of the Canadian Government in sending in roadmakers and surveyors to the Northwest before the transfer had been made, the unwise conduct of a number of these forerunners, and the natural fear of the Red River people that their interests would be neglected, account for the rising. To these must be added the restless character of the French half-breeds, who, as hunters and traders, were accustomed to the use of fire-arms, had a hereditary bent toward insubordination, and were led by a few daring leaders. Hon. William Macdougall, on coming to the boundary line at Pembina in October, 1869, heard of the French half-breeds being in arms at St. Norbert, nine miles from Fort Garry. The half-breeds at once organized in that locality a council with John Bruce president, and Louis Riel, secretary. The council of Assiniboia, which was the only authority in the country, after several meetings, expressed its want of satisfaction with the steps taken by Canada, expressed its confidence in the future administration of the country under Canadian rule, but advised Mr. McDougall not to enter the country owing to the disturbed state of feeling. The inertia of the council and the mass of the people of Assiniboia gave the conspirators their opportunity, and on 2nd of November, 1869, Riel and his fifty to one hundred followers seized Fort Garry notwithstanding the protest of the officer in charge, Dr. Cowan. A band of robbers thus forcibly seize the centre of government, and take another step forward. This is, "as the president and representatives of the French speaking people of Rupert's Land in council," and they invite the English-speaking people to send twelve representatives from twelve districts, which they, the French, name. Twelve men were sent by these illegal districts, and to the assembled delegates Governor McTavish, the head of the council, protested against the acts of the banditti and refused them recognition. With the ineffectual efforts of the Canadian party, which had strong sympathizers among the English half-breeds of

the country we have here nothing to do. After much natural distrust the delegates, first meeting in two sections, English and French, and then jointly, agreed on the

FIRST LIST OF RIGHTS.

It was at first proposed to send delegates to Governor McDougall at Pembina to present this so-called "bill" with its fifteen clauses, but no agreement was reached on the matter. (See appendix I.) No one, of course, claims any authority for this list, made under the hand of violence and by illegally chosen representatives. Another effort was made on December 1, 1869, to formulate a list of rights to be sent to Governor Macdougall at Pembina, but no steps were taken beyond a general adhesion to the previously asserted list, with a few changes.

Matters remained in a very disturbed state in the settlement during the dead of winter. Col. Dennis and others were stirring up the English people to activity, and Riel was making arrests of those most opposed to him and confining them with all the cruelty of a Russian autocrat in the uncomfortable quarters at Fort Garry. Further demands were made upon the Hudson's Bay Company by Riel, and the rebel forces freely helped themselves to whatever they chose in the fort. The news of the outbreak having reached Canada steps were taken to send envoys to the people of Red River. Chief among these was the commissioner

HON. DONALD A. SMITH,

who arrived at Fort Garry December 27, 1869. Mr. Smith was a prominent officer of the Hudson's Bay Company and was well suited for his delicate task. He was allowed to take up his quarters at Fort Garry, but according to his own account was treated as a prisoner by Riel. Mr. Smith had left his credentials as a commissioner to enquire into the troubles at Red River at Pembina. Several loyal French half-breeds undertook to bring the documents to Fort Garry. Riel, with all the instincts of a desperado, endeavored to seize the commission, but was thwarted. Mr. Smith had succeeded in bringing about a division in Riel's council, and a party of loyal French took up their abode in Fort Garry to protect the commissioner. Messengers were now sent by Mr. Smith's request to call

A GRAND MASS MEETING

of the settlers of Red River, entirely without reference to the banditti who held Fort Garry. This was convened on the 19th January, 1870. The meeting was so

large that it had to be held in the open air, and the people stood it out for five hours, though the thermometer was at 20° below zero. It is important here to note the state of things. Fortunately we have in Mr. Smith's report a clear statement :

"The state of matters at this time in and around Fort Garry was most unsatisfactory and truly humiliating. Upwards of sixty British subjects were held in close confinement as political prisoners; security for person or property there was none; the Fort, with its large supplies and ammunition, provisions and stores of all kinds, was in the possession of a few hundred French half-breeds, whose leaders had declared their determination to use every effort for the purpose of annexing the territory to the United States; and the governor and council of Assiniboia was powerless to enforce the law."

Now when the meeting was held Mr. Smith, with much interruption from Riel, read the several documents from the government of Canada.

It was moved and carried that twenty representatives should be elected by the English and twenty by the French people, to meet to "consider the subject of Mr. Smith's commission, and to decide what would be best for the welfare of the country." In due course the representatives were elected, and met Jan. 26. The convention at length adopted

THE SECOND LIST OF RIGHTS,

nineteen clauses in number, on Feb. 3. (See appendix II.) The convention next considered the question of forming a "provisional government." The English delegates were opposed to this, but though they were not commissioned by the people to go so far, they yielded to Riel's strong will. Governor McTavish refused to delegate his power to anyone. On Feb. 9 the provisional government was formed with Riel as president. No doubt the English delegates, under the influence of force, acquiesced in this for the time being, though not empowered to do so by the people. Now here we notice that the

PROVISIONAL GOVERNMENT WAS ILLEGAL from every point of view.

1. According to the well understood principles of law and so well expressed in the letter to Mr. Spence, already quoted from the British secretary of state, the people have no inherent right to form a government under such circumstances.

2. At a later stage Governor McTavish, under a state of coercion, recognized the Provisional government so far as the Hudson's Bay Company in the country was concerned, but this even if freely done meant nothing as the council in London had such sole power under the crown.

3. Commissioner Smith in his report gives us very clearly his view. "In the presence of Riel" he says, "I promised to take no immediate steps forcibly to upset the so-called 'Provisional government,' 'legal or illegal, as it might be,' without first announcing my intentions to do so." Mr. Riel taking exception to the word illegal, while I insisted on retaining it. Mr. O'Donohue, to get over the difficulty, remarked "That is as he" (meaning myself) "understands it." To which I replied "precisely so." The above explanation I am the more particular in giving, as it has been reported that I at once acknowledged the Provisional government to be legal. Neither then nor afterwards did I do so."

4. The delegates to the convention were not authorized by the people to form such a government.

5. The Canadian Government never recognized the provisional government. The convention named Judge Black, Rev. Father Richot, and A. H. Scott as its delegates to go to Canada. This was before the time of authority of the provisional government created at the February convention. It was these delegates of the people that the Canadian Government recognized and no other. This is clearly shown in Lord Dufferin's despatch, December 10, 1874, where he says: "An attempt has been made to show that these delegates really held their appointment from Riel, and were to be considered as commissioned by his government. This, however, was not so; they were selected, and the terms they were instructed to demand were settled before the election of Riel to the so-called presidency."

The deliberations were conducted under a state of organized terrorism, with the Fort in possession of several hundred armed half-breeds, and no liberty of action was permitted. It is a well-established principle that a government of pirates or robbers has no legal status.

7. The decision of the Court of Queen's Bench in the trial of Riel and Lepine refused to recognize the act of the provisional government in the case of the execution of Thomas Scott, but made it to be murder, and the chief actors suffered the penalty of imprisonment and banishment. On March 4th the murder of Thomas Scott, at Fort Garry, by the desperadoes, in the name of the provisional government, sent a thrill of horror through the whole Dominion. Whatever the motives may have been for this terrible deed of violence, the case for the so-called provisional government became much worse. The government of Canada,

in the face of outraged public sentiment, dared not allow to go unpunished those whose previous actions, though certainly treasonable, were not of so bloody and cruel a character as this. The English people were awed into silence, and the meeting of the council of the provisional government took place on the 15th of March, Bishop Tache having now returned as a special envoy of the Canadian government. At this council arrangements were made for the departure of the three delegates for Canada, and they were furnished with credentials and the list of rights ostensibly in the main as adopted by the convention on the third of February. (See appendix III.) And now I come to speak of one of the most

ASTOUNDING VIOLATIONS

of truth and honor this country has witnessed. It has for several years been suspected that the instructions to the delegates who proceeded to Ottawa had been tampered with after their adoption by the council of the provisional government. This has been now thoroughly proved by the publication in the Free Press of Dec. 27, by Archbishop Tache of what is there called a "Bill of Rights," prepared by the executive of the provisional government and handed over to the Northwest delegates. (See appendix IV.) The Archbishop states as the document "has never been published before it may prove interesting to many as an historical document." Certainly it is an interesting document. It is nothing less than

FOURTH FICTITIOUS LIST OF RIGHTS.

I am not speaking at random on this matter. The original of the list of rights, in the handwriting of the secretary of the provisional government, Thomas Bunn, is in the possession of the secretary of this society. The so-called bill of rights published by Archbishop Tache has been compared with the original and authoritative document, and the following is the result:

The true document has twenty clauses, that lately promulgated nineteen. Clauses 2 to 6 and 8 to 18 inclusive, with slight changes of verbiage, are the same in both and contain virtually the same demands. Let us look at the clauses which differ:

Clause I in Thomas Bunn's certified copy reads:

"That the territories heretofore known as Rupert's Land and Northwest shall not enter into the confederation of the Dominion except as a province, to be styled

and known as the province of Assiniboia, and with all the rights and privileges common to the different provinces of the Dominion.

Clause I in Riel's fictitious bill reads:

1. That the territory of the Northwest enter into the confederation of the Dominion of Canada as a province, with all the privileges common with all the different provinces of the Dominion. That this province be governed:

1. By a lieutenant-governor appointed by the Governor-General of Canada.

2. By a senate.

3. By a legislature chosen by the people, with a responsible ministry.

It needs no comment to show, when we bear in mind the anxiety of the French minority in this province to preserve an upper chamber, and the composition of the legislative council of seven, why this change was made in a confidential document.

The next difference is in clause 7. Had it not been for this change no doubt the latest revision would never have seen the light of day.

The true copy gives clause 7 thus:

"That a sum of money equal to 80 cents per head of the population of this province be paid annually by the Canadian government to the local legislature of the said province, until such time as the said population shall have increased to 600,000.

Clause 7 in Riel's fictitious bill reads:

"That the schools be separate, and that the public money for schools be distributed among the different religious denominations in proportion to their respective populations, according to the system of the province of Quebec."

What do the English speaking people of Red River think of that? They never knew for nineteen long years they had asked to have schools modelled after those of Quebec. They never knew they were thus betrayed. But

A GREAT MARVEL

yet remains. Riel's fictitious bill, which Archbishop Tache says was the only document presented in Ottawa, dropped clause 20 of the true list entirely, and yet in the Manitoba act clause 26 provides for what this missing clause demands, viz: That there should be no increase in customs duties for three years. This could not have got into the Manitoba act by chance. The true list must have been presented in some form. It remains to be seen what important part the altered document played in the whole affair. Now while the English people of

Manitoba never saw this list of rights Archbishop Tache states that he was familiar with all the details. In a pamphlet published by Archbishop Tache in 1875, entitled "The Amnesty Again," the Archbishop says:

"I am perfectly well acquainted with the minutest details of this second 'Bill of Rights' (i. e. the one of 22nd of March, now published for the first time, G. B.) although it was not correct that I myself had drawn it up. I came to a knowledge of it by having heard it discussed by the delegates in my presence * * * It was with these official documents and no others, that the delegates came forward in the Canadian capital."

Now what ground is there for the statement that the people of Red River obtained the establishment of an upper house, giving the French a control of Manitoba, and obtained separate schools after the model of Quebec by treaty?

We answer not the slightest. For a moment leave out of sight as some ask Riel and his Provisional government altogether. Well, if this be done the people of Red River never asked for either an upper house or separate schools. The list of rights of 15 clauses of November, 1869, has not one word of either; the 2nd list of 19 clauses of February 3rd, 1870, never mentions either subject; the true copy in the hands of the secretary of this society, published at the time, and approved on the 22nd March, 1870, by Thomas Bunn, secretary, has not a word on either subject. The people of Red River never knew till two weeks ago, on the publication of Archbishop Tache's letter, that they were ever supposed to have asked for separate schools or an upper house. Will any one in his senses maintain that what only a dozen people out of twelve thousand knew until nineteen years afterwards binds the people with a treaty obligation? Will any one have the hardihood to contend that anything less than the consent of both parties is required before a treaty between these parties can have an iota of force!

If Riel and his provisional government be taken into account the case is equally bad. They were an absolutely illegal body, but to their illegality they seem to have added fraud. They seem to have substituted, or to have allowed some one to substitute a fictitious bill of rights. They kept the fact a profound secret, and it is fortunate that the documents to prove

this have fallen into the hands of an officer of this society. Surely we have heard the last of the treaty guaranteeing separate schools and an upper house. Those who maintain this must not expect either the old or the new people of Red River to be thus imposed on; like the famous Don Quixote, they had better turn their weapons on a flock of unoffending sheep, who may prove themselves foemen more worthy of their steel.

After the reading of the above paper by Dr. Bryce, Rev. Mr. Cloutier arose to make explanations, especially in regard to the commission furnished to the delegates who went to Ottawa. He stated that they went as commissioned by the Provisional government and not as delegates of the convention which met on the 7th of February. He stated that the delegates refused to go until urged by Archbishop Tache on his arrival, that Archbishop Tache provided funds, being assisted by his friends, to take the delegates; and that they only went on letters being presented from the Government of Canada giving assurances to them. Rev. Mr. Cloutier stated distinctly that the delegates, especially Father Ritchot, refused to act until recognized as a delegate of the Provisional government by the Government at Ottawa. This statement was questioned by some of those present.

A discussion arose as to the several bills of rights which were presented; it ended in Dr. Bryce and Mr. Cloutier agreeing to meet at some point with the several documents and have them compared.

Mr. Ashdown also made a few remarks, stating that Judge Black especially could not have regarded himself as a delegate of the Provisional government, but must have regarded himself as a delegate appointed by the convention as being a representative of the English people. Mr. Ashdown was strong in his expression of the unfairness of the Bill of Rights being presented in the name of the whole people after the English people had withdrawn themselves in consequence of the death of Scott, from having anything to do with the Provisional government.

Prof. Hart made a few remarks, and addressed some inquiries to Rev. Mr. Cloutier.

On motion of Mr. Ashdown, seconded by Rev. Mr. Baird, a vote of thanks was presented to the lecturer of the evening, and the meeting adjourned.

Appendix.

I.—BILL OF RIGHTS.

Proposed to be sent to Governor McDougall, Dec. 1st, 1869.

(See *Begg's Creation of Manitoba* p. 110.)

1. The right to elect our own Legislature.
2. The Legislature to have power to pass all laws, local to the Territory, over the veto of the Executive, by a two-third vote.
3. No act of the Dominion Parliament (local to this Territory) to be binding on the people until sanctioned by their representatives.
4. All sheriffs, magistrates, constables, etc., etc., to be elected by the people—a free homestead pre-emption law.
5. A portion of the public lands to be appropriated to the benefit of schools, the building of roads, bridges and parish buildings.
6. A guarantee to connect Winnipeg by rail with the nearest line of railroad—the land grant for such road or roads to be subject to the Legislature of the Territory.
7. For 4 years the public expenses of the Territory, civil, military and municipal, to be paid out of the Dominion treasury.
8. The military to be composed of the people now existing in the Territory.
9. The French and English language to be common in the Legislature and Council, and all public documents and acts of Legislature to be published in both languages.
10. That the Judge of the Superior Court speak French and English.
11. Treaties to be concluded and ratified between the Government and several tribes of Indians of this Territory, calculated to insure peace in the future.
12. That all privileges, customs and usages existing at the time of the transfer be respected.
13. That these rights be guaranteed by Mr. McDougall before he be admitted into this Territory.
14. If he have not the power himself to grant them, he must get an act of Parliament passed expressly securing us these rights; and until such act be obtained, he must stay outside the Territory.
15. That we have a full and fair representation in the Dominion Parliament.

II.—LIST OF RIGHTS.

Adopted Feb. 3rd, 1869, by the convention chosen by the people of Red River Settlement after the meeting with Hon. Donald A. Smith.

(See *Begg's Creation of Manitoba* p. 255.)

1. That in view of the present exceptional position of the Northwest, duties upon goods imported into the country shall continue as at present (except in the case of spirituous liquors) for three years, and for such further time as may elapse, until there be uninterrupted railroad communication between Red River settlement and St. Paul, and also steam communication between Red River settlement and Lake Superior.
2. As long as this country remains a territory in the Dominion of Canada, there shall be no direct taxation, except such as may be imposed by the local legislature, for municipal or other local purposes.
3. That during the time this country shall remain in the position of a territory, in the Dominion of Canada, all military, civil, and other public expenses, in connection with the general government of the country, or that have hitherto been borne by the public funds of the settlement, beyond the receipt of the above mentioned duties, shall be met by the Dominion of Canada.
4. That while the burden of public expense in this territory is borne by Canada, the country be governed by a Lieutenant-Governor from Canada, and a Legislature, three members of whom being heads of departments of the Government, shall be nominated by the Governor General of Canada.
5. That after the expiration of this exceptional period, the country shall be governed, as regards its local affairs, as the Provinces of Ontario and Quebec are now governed, by a Legislature by the people, and a Ministry responsible to it, under a Lieutenant-Governor, appointed by the Governor General of Canada.
6. That there shall be no interference by the Dominion Parliament in the local affairs of this territory, other than is allowed in the provinces, and that this territory shall have and enjoy in all respects, the same privileges, advantages and aids in meeting the public expenses of this territory as the provinces have and enjoy.
7. That, while the Northwest remains a territory, the Legislature have a right to pass all laws local to the territory, over the veto of the Lieutenant-Governor by a two-third vote.

8. A homestead and pre-emption law.

9. That, while the Northwest remains a territory, the sum of \$25,000 a year be appropriated for schools, roads and bridges.

10. That all the public buildings be at the expense of the Dominion treasury.

11. That there shall be guaranteed uninterrupted steam communication to Lake Superior, within five years; and also the establishment, by rail, of a connection with the American railway as soon as it reaches the international line.

12. That the military force required in this country be composed of natives of the country during four years.

[Lost by a vote of 16 yeas to 23 nays, and consequently struck out of the list.]

13. That the English and French languages be common in the Legislature and Courts, and that all public documents and acts of the Legislature be published in both languages.

14. That the Judge of the Supreme Court speak the French and English languages.

15. That treaties be concluded between the Dominion and the several Indian tribes of the country as soon as possible.

16. That, until the population of the country entitles us to more, we have three representatives in the Canadian Parliament, one in the Senate, and two in the Legislative Assembly.

17. That all the properties, rights and privileges as hitherto enjoyed by us be respected, and that the recognition and arrangement of local customs, usages and privileges be made under the control of the Local Legislature.

18. That the Local Legislature of this territory have full control of all the lands inside a circumference having upper Fort Garry as a centre, and that the radius of this circumference be the number of miles that the American line is distant from Fort Garry.

19. That every man in the country (except uncivilized and unsettled Indians) who has attained the age of 21 years, and every British subject, a stranger to this country who has resided three years in this country and is a householder, shall have a right to vote at the election of a member to serve in the Legislature of the country, and in the Dominion Parliament; and every foreign subject, other than a British subject, who has resided the same length of time in the country, and is a householder, shall have the same right to vote on condition of his taking the oath of allegiance, it being understood that this article be subject to amendment exclusively by the Local Legislature.

20. That the Northwest territory shall never be held liable for any portion of the £300,000 paid to the Hudson's Bay Company or for any portion of the public debt of Canada, as it stands at the time of our entering the confederation; and if, thereafter, we be called upon to assume our share of said public debt, we consent only, on condition that we first be allowed the amount for which we shall be held liable.

III.—LIST OF THE TERMS

And conditions which accompanied the commission to Rev. Father Ritchot, J. Black, Esq., Alfred Scott, Esq., given by the Provisional government.

1. See Begg's "Creation of Manitoba" published 1871, p. 325.

2. This is verbatim the official copy found in the papers of Thomas Bunn, secretary of Riel's government.

3. In the same "Bunn papers" is a copy in French, which differs only in dropping the name "Province of Assiniboia," and substituting "the province."

4. In the same "Bunn papers" is a verbatim copy of this French copy, printed by the Provisional government, and signed "Maison du gouvernement," March 23rd, 1870, the very day Messrs. Ritchot and Scott started for Ottawa.

1. That the territories heretofore known as Rupert's Land and Northwest, shall not enter into the confederation of the Dominion, except as a province, to be styled and known as the Province of Assiniboia, and with all the rights and privileges common to the different Provinces of the Dominion.

2. That we have two representatives in the Senate and four in the House of Commons of Canada, until such time as an increase of population entitles the Province to a greater representation.

3. That the Province of Assiniboia shall not be held liable at any time for any portion of the public debt of the Dominion contracted before the date the said province shall have entered the confederation, unless the said province shall have first received from the Dominion the full amount for which the said province is to be held liable.

4. That the sum of eighty thousand dollars be paid annually by the Dominion Government to the Local Legislature of the Province.

5. That all properties, rights and privileges enjoyed by the people of this Pro-

vince up to the date of our entering into the confederation be respected, and that the arrangement and confirmation of all customs, usages and privileges be left exclusively to the Local Legislature.

6. That during the term of five years, the Province of Assiniboia shall not be subjected to any direct taxation, except such as may be imposed by the Local Legislature for municipal or local purposes.

7. That a sum of money equal to eighty cents per head of the population of this Province be paid annually by the Canadian Government to the Local Legislature of the said Province, until such time as the said population shall have increased to six hundred thousand.

8. That the Local Legislature shall have the right to determine the qualifications of members to represent this Province in the Parliament of Canada, and in the Local Legislature.

9. That in this Province, with the exception of uncivilized and unsettled Indians, every male native citizen who has attained the age of twenty-one years; and every foreigner, being a British subject, who has attained the same, and has resided three years in the Province, and is a householder; and every foreigner, other than a British subject, who has resided here during the same period, being a householder and having taken the oath of allegiance, shall be entitled to vote at the election of members for the Local Legislature and for the Canadian Parliament. It being understood that this article be subject to amendment exclusively by the Local Legislature.

10. That the bargain of the Hudson's Bay Company in the respect to the transfer of the government of this country to the Dominion of Canada be annulled so far as it interferes with the rights of the people of Assiniboia, and so far as it would affect our future relations with Canada.

11. That the Local Legislature of the Province of Assiniboia shall have full control over all the public lands of the Province, and the right to annul all acts or arrangements made or entered into with reference to the public lands of Rupert's Land and the Northwest, now called the Province of Assiniboia.

12. That the Government of Canada appoint a commissioner of engineers to explore the various districts of the Province of Assiniboia, and to lay before the Local Legislature a report of the mineral wealth of the Province within five years from the date of our entering into confederation.

13. That treaties be concluded between Canada and the different Indian tribes of the Province of Assiniboia by and with the advice and co-operation of the Local Legislature of this Province.

14. That an uninterrupted steam communication from Lake Superior to Fort Garry be guaranteed to be completed within the space of five years.

15. That all public buildings, bridges, roads, and other public works be at the cost of the Dominion treasury.

16. That the English and French languages be common in the Legislature and in the Courts, and that all public documents, as well as all acts of the Legislature, be published in both languages.

17. That whereas the French and English speaking people of Assiniboia are so equally divided as to numbers, yet so united in their interests, and so connected by commerce, family connections, and other political and social relations, that it has happily been found impossible to bring them into hostile collision, although repeated attempts have been made by designing strangers, for reasons known to themselves, to bring about so ruinous and disastrous an event.

And whereas after all the trouble and apparent dissensions of the past, the result of misunderstanding among themselves, they have, as soon as the evil agencies referred to above were removed, become as united and friendly as ever; therefore as a means to strengthen this union and friendly feeling among all classes, we deem it expedient and advisable,

That the Lieutenant-Governor, who may be appointed for the Province of Assiniboia, should be familiar with both the English and French languages.

18. That the Judge of the Superior Court speak the English and French languages.

19. That all debts contracted by the Provisional government of the territory of the Northwest, now called Assiniboia, in consequence of the illegal and inconsiderate measures adopted by Canadian officials to bring about a civil war in our midst, be paid out of the Dominion treasury, and that none of the members of the Provisional government, or any of those acting under them, be in any way held liable or responsible with regard to the movement or any of the actions which led to the present negotiations.

20. That in view of the present exceptional position of Assiniboia, duties upon goods imported into the Province shall, except in the case of spirituous liquors, continue as at present for at least three

years from the date of our entering the confederation, and for such further time as may elapse until there be uninterrupted railroad communication between Winnipeg and St. Paul, and also steam communication between Winnipeg and Lake Superior.

IV.—*RIEL'S FICTITIOUS BILL OF RIGHTS.*

First published by Archbishop Tache in the Daily Free Press of Dec. 27th, 1889.

1. That the territory of the Northwest enter into the Confederation of the Dominion of Canada as a province, with all the privileges common with all the different provinces in the Dominion.

That this province be governed :

1. By a Lieutenant-Governor, appointed by the Governor-General of Canada.

2. By a Senate.

3. By a Legislature chosen by the people with a responsible ministry.

2nd. That, until such time as the increase of the population in this country entitle us to a greater number, we have two representatives in the Senate and four in the Commons of Canada.

3. That in entering the Confederation the Province of the Northwest be completely free from the public debt of Canada; and if called upon to assume a part of the said debt of Canada, that it be only after having received from Canada the same amount for which the said Province of the Northwest should be held responsible.

4. That the annual sum of \$80,000 be allotted by the Dominion of Canada to the Legislature of the Province of the Northwest.

5. That all properties, rights and privileges enjoyed by us up to this day be respected, and that the recognition and settlement of customs, usages and privileges be left exclusively to the decision of the Local Legislature.

6. That this country be submitted to no direct taxation except such as may be imposed by the local legislature for municipal or other local purposes.

7. That the schools be separate, and that the public money for schools be distributed among the different religious denominations in proportion to their respective populations according to the system of the Province of Quebec.

8. That the determination of the qualifications of members for the parliament of the province or for the parliament of Canada be left to the local legislature.

9. That in this province, with the exception of the Indians, who are neither

civilized nor settled, every man having attained the age of 21 years, and every foreigner being a British subject, after having resided three years in this country, and being possessed of a house, be entitled to vote at the elections for the members of the local legislature and of the Canadian Parliament, and that every foreigner other than a British subject, having resided here during the same period, and being proprietor of a house, be likewise entitled to vote on condition of taking the oath of allegiance.

It is understood that this article is subject to amendment, by the local legislature exclusively.

10. That the bargain of the Hudson Bay Company with respect to the transfer of government of this country to the Dominion of Canada, never have in any case an effect prejudicial to the rights of Northwest.

11. That the Local Legislature of this Province have full control over all the lands of the Northwest.

12. That a commission of engineers appointed by Canada explore the various districts of the Northwest, and lay before the Local Legislature within the space of five years a report of the mineral wealth of the country.

13. That treaties be concluded between Canada and the different Indian tribes of the Northwest, at the request and with the co-operation of the Local Legislature.

14. That an uninterrupted steam communication from Lake Superior to Fort Garry be guaranteed to be completed within the space of five years, as well as the construction of a railroad connecting the American railway as soon as the latter reaches the international boundary.

15. That all public buildings and constructions be at the cost of the Canadian Exchequer.

16. That both the English and French languages be common in the Legislature and in the Courts; and that all public documents, as well as the acts of the Legislature, be published in both languages.

17. That the Lieutenant-Governor to be appointed for the province of the Northwest be familiar with both the English and French languages.

18. That the Judge of the Supreme Court speak the English and French languages.

19. That all debts contracted by the Provisional government of the territory of the Northwest, now called Assiniboia, in consequence of the illegal and inconsiderate measures adopted by Canadian officials to bring about a civil war in our

midst, be paid out of the Dominion treasury, and that none of the Provisional government, or any of those acting under them, be in any way held liable or responsible with regard to the movement or any of the actions which led to the present negotiations.

NOTE.—Archbishop Tache explains in a letter, in the Free Press, Jan. 15th, 1890, that the sheet on which clause 20 was written had been lost sight of.—G. B.